

REMARKS/ARGUMENTS

The Office Action mailed May 18, 2006 has been reviewed and carefully considered. Claims 9-11 are now pending in this application, with claim 11 being the only independent claim. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claim Amendments

New independent claim 11 includes a more detailed and structured list of the method steps according to the invention.

Support for the limitations in claim 11 is found in previous claim 1, at paragraphs 0011 to 0013 and in Fig. 1 of the original disclosure.

Previous claims 1 and 4-8 have been canceled.

Claims 9 and 10 now refer back to claim 11.

Claim Rejections Under 35 USC § 103(a)

Claims 1, 9 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent No. 4,721,058 (Hayamizu) in view of US Patent No. 6,532,872 (Sigel).

The new claim 11 finally should unambiguously clarify that the present invention provides an automatic cutting action based on different movement sequences for the cutting cylinder which are stored in a memory. The different movement sequences correspond to different lengths of the sheets which are to be cut off during one printing cycle. This means in principle, that the longer the sheet is which is to be cut off, the slower the average rotational speed of the cutting cylinder during one rotation will be, and the shorter the sheet, the higher the average speed. In any case, the rotational speed of the cutting cylinder at the time of the actual cutting again has to be approximately the feeding speed of the web.

The predetermined different movement sequences stored in the memory each are activated by a signal from the drive controller of the print cylinder indicating a specific rotary position of the print cylinder which always corresponds to a certain position of the printed web in the cutting area due to the identically recurring printing cycle.

As stated in MPEP §2143, to establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations. In the present case, this criterion is not fulfilled because even the combined teachings of the prior art of record fail to teach or suggest at least the limitations of "predefining at least two different movement sequences for the cutting cylinder motor in the computing and storage unit and storing the movement sequences in the memory, each of the different movement sequences being associated with one of the different heights of the printed pages", "communicating a rotary position of the plate cylinder from the drive controller of the plate cylinder motor to the computing and storage unit", "selecting one of the movement sequences from the memory based on the communicated rotary position of the plate cylinder and transferring corresponding instructions to the drive controller of the cutting cylinder motor", and "rotating the cutting cylinder according to the selected movement sequence", as expressly recited in new independent claim 11.

Hayamizu discloses a paper cutter system for automatic drawing machines. The paper cutter means 9 is capable of cutting paper 5 on which drawings and coded data 7 are set down. The coded data 7 are read by a bar code reader 10 in the paper cutter means 9. Subsequently, a motor driver 18 is activated to carry out a rotational movement of a rotary blade 69 to cut the paper continuously at substantially right angles to the paper feeding direction (see column 3, lines 20-46). However, the coded data 7 have to be contained in the fed paper 5 and have to be read in order to activate each cutting process.

The method disclosed by Hayamizu is completely different from the method of independent claim 11 because Hayamizu performs the same cutting procedure each time coded data 7 on the paper 5 is detected. Since Hayamizu discloses that the coded data 7 on the paper 5 have to be read by a reader 10 on the paper cutter means 9, and that the paper cutter means 9 cuts the paper in response to the coded data 7 on the paper 5, Hayamizu fails to disclose, teach or suggest "communicating a rotary position of the plate cylinder from the drive controller of the plate cylinder motor to the computing and storage unit", as recited in independent claim 11. Hayamizu fails to teach or suggest "selecting one of the movement sequences from the memory based on the communicated rotary position of the plate cylinder and transferring corresponding instructions to the drive controller of the cutting cylinder motor", as recited in independent claim 11, because Hayamizu fails to teach or suggest that there are two different movement sequences of the paper cutter means 9. Rather, the paper cutting means 9 of Hayamizu performs the same cutting sequence each time the coded data 7 is detected (see col. 3, lines 30-46). Since Hayamizu fails to teach or suggest two different movement sequences, there is also no teaching or suggestion for "predefining at least two different movement sequences for the cutting cylinder motor in the computing and storage unit and storing the movement sequences in the memory, each of the different movement sequences being associated with one of the different heights of the printed pages", as recited in independent claim 11. The above recitations of claim 11 allow for an increased speed of the printing press, and where different movement sequences of the cutting cylinder can be run through automatically during one printing cycle (i.e., during one rotation of the print cylinder).

Sigel does not disclose any cutting mechanism at all.

Therefore, a skilled person could not derive any suggestion or motivation from Sigel to incorporate the lacking limitations to the paper cutting system according to Hayamizu.

Since the combined teachings of Hayamizu and Sigel clearly fail to teach or suggest the above mentioned claimed limitations, independent claim 11 is allowable over the prior art of record.

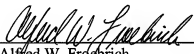
Dependent claims 9 and 10, each being dependent on independent claim 11, are allowable for the same reasons expressed above with respect to independent claim 11, as well as for the additional recitations therein.

In view of the above amendments and remarks, the application is now deemed to be in condition for allowance and notice to that effect is solicited.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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